

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Kathleen Walters,	)	C/A No.3:04-0952-JFA
	)	
Plaintiff,	)	
	)	
vs.	)	<b>ORDER ADOPTING</b>
	)	<b>REPORT AND</b>
Benedict College,	)	<b>RECOMMENDATION</b>
	)	
Defendant.	)	
	)	

---

This matter is before the court for review of the magistrate judge's report and recommendation ("the report") made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02(B)(2)(D.S.C.).

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections . . . The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

*Wallace v. Housing Auth. of the City of Columbia*, 791 F. Supp. 137, 138 (D.S.C. 1992) (citations omitted).

The United States Magistrate Judge has filed a report and recommendation suggesting that the motion for summary judgment by the defendant be granted on all claims.

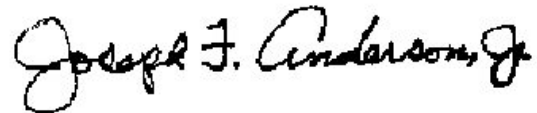
Both parties were apprised of their rights to file objections to the report and recommendation. The plaintiff filed objections to the report and recommendation on February 27, 2006.

In light of the standard set out above, the court has reviewed the report and the objections thereto. The court finds that oral argument would not aid in its decisional process. The court finds that the report and recommendation is proper and adopts the report and recommendation *in toto*.

### **Conclusion**

The Magistrate Judge's report and recommendation is hereby accepted and defendant's motion for summary judgment is hereby granted.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Joseph F. Anderson, Jr." The signature is written in a cursive, slightly slanted style.

/s/ Joseph F. Anderson, Jr.  
United States District Judge

March 10, 2006  
Columbia, South Carolina